

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
October 15, 2013 - 9:00 A.M.

PRESENT: COMMISSIONER DOUG WITNEY, CHAIR
COMMISSIONER GARY J. ANDERSON, VICE-CHAIR
COMMISSIONER LARRY A. ELLERTSON

ALSO PRESENT:

E. Kent Sundberg, Civil Division Chief Attorney	Julie Rollins, Utah County Purchasing Agent
David Shawcroft, Utah County Deputy Attorney	Dr. Joseph K. Miner, Health Department Exec. Director
Robert J. Moore, Utah County Deputy Attorney	Lana Jensen, Utah County Personnel Director
Paul Jones, Utah County Deputy Attorney	Jane Ivie, Personnel Office
Bryan E. Thompson, Utah County Clerk/Auditor	Jeff Smith, Utah County Recorder
Scott C. Hogensen, Chief Deputy Clerk/Auditor	Andrea Allen, Utah County Recorder's Office
Burt Harvey, Clerk/Auditor - Tax Admin. Supervisor	James O. Tracy, Utah County Sheriff
Sandy Nielson, Clerk/Auditor's Office - Tax Admin.	Mike Forshee, Utah County Sheriff's Office
Vicky Westergard, Clerk/Auditor's Office	Gary Ratcliffe, Utah County Surveyor
Diane Garcia, Utah County Assessor's Office	Mike Stansfield, Fairways Media
Peter A. Jeppsen, Utah County Assessor's Office	Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Witney called the meeting to order at 9:06 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: Dr. Joseph K. Miner, Utah County Health Department Executive Director
PLEDGE OF ALLEGIANCE: Peter A. Jeppsen, Utah County Assessor's Office

CONSENT AGENDA

1. **ACCEPT AND APPROVE, OR DECLINE, AN OFFER BY SANTAQUIN DEPARTMENT OF PUBLIC SAFETY TO PURCHASE A SURPLUS 2005 CHEVROLET TRAILBLAZER (701280) FROM UTAH COUNTY** *(Continued from the October 8, 2013 Commission meeting)*

Commissioner Ellertson requested that Consent Agenda Item No. 1 be continued to the next meeting of the Board.
CONTINUED TO OCTOBER 22, 2013

2. **APPROVE THE COUNTY HOLIDAY SCHEDULE FOR 2014**
3. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE FY2013 HOMELAND SECURITY GRANT AWARD DOCUMENT AND ARTICLES OF AGREEMENT FOR THE EOD (EXPLOSIVE ORDINANCE DISPOSAL) GRANT FROM THE UTAH DEPARTMENT OF PUBLIC SAFETY**

Commissioner Ellertson had some questions regarding the grant, and Utah County Sheriff James O. Tracy explained that the funds come from the state and the county serves as a pass-through agency for the different bomb squads throughout Utah.

4. **APPROVE REDUCING THE PENALTY IN THE AMOUNTS LISTED FOR THE ATTACHED PERSONAL PROPERTY ACCOUNTS, HAVING BEEN IDENTIFIED AS MEETING THE QUALIFICATIONS UNDER ORDINANCE NO. 2010-4 AND RESOLUTION NO. 2011-64 OF THE UTAH COUNTY CODE**

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5. **ABATE PERSONAL PROPERTY ACCOUNTS ATTACHED FOR THE YEARS INDICATED, HAVING BEEN IDENTIFIED AS UNCOLLECTIBLE; THERE ARE NO ASSETS AVAILABLE**
6. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20294, DATED OCTOBER 9, 2013**
7. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2013-1 (ABATEMENTS)**
8. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2013-15**
Commissioner Ellertson requested that the first two parcels identified within Recommendation Letter No. 2013-15 be excluded: Property Serial No. 32:021:0025 belonging to Sunroc Corporation, and Property Serial No. 23:027:0056 belonging to John G. DeHaas Family LC. The remaining items were approved as detailed within the letter.
9. **ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE CHILDREN'S JUSTICE CENTER**
10. **APPROVE THE MINUTES OF THE SEPTEMBER 24, 2013 COMMISSION MEETING** *(Continued from the October 1 and October 8, 2013 Commission meetings)*
11. **APPROVE THE MINUTES OF THE OCTOBER 8, 2013 COMMISSION MEETING**
The Board suggested that Consent Agenda Item No. 11 be continued to the next meeting of the Board.
CONTINUED TO OCTOBER 22, 2013

12. **RATIFICATION OF WARRANT REGISTER SUMMARY**

Register No. 928	October 07, 2013	Purchasing Cards 833-833	Total: \$	46,075.00
Register No. 929	October 07, 2013	Direct Deposit: 17893-17909	Total: \$	43,960.34
Register No. 930	October 07, 2013	Check Nos. 186022-186080	Total: \$	138,778.82
Register No. 931	October 07, 2013	Direct Deposit: 17910-17911	Total: \$	68.00
Register No. 932	October 07, 2013	Check Nos. 186081-186126	Total: \$	461,369.82
Register No. 933	October 08, 2013	Purchasing Cards 834-862	Total: \$	5,555.39
Register No. 934	October 08, 2013	Check Nos. 186127-186173	Total: \$	162,666.60
Register No. 935	October 09, 2013	Direct Deposit: 17912-17912	Total: \$	898.24
Register No. 936	October 09, 2013	Purchasing Cards 863-867	Total: \$	484.81
Register No. 937	October 09, 2013	Check Nos. 186174-186192	Total: \$	15,981.51
Register No. 938	October 10, 2013	Check Nos. 186193-186235	Total: \$	344,532.07
Register No. 939	October 11, 2013	Purchasing Cards 868-873	Total: \$	673.52
Register No. 940	October 11, 2013	Check Nos. 186236-186267	Total: \$	10,110.42
Register No. 941	October 11, 2013	Purchasing Cards 874-874	Total: \$	224.40
Register No. 942	October 11, 2013	Check Nos. 186268-186276	Total: \$	67,124.99
			Total:	<u>\$1,298,503.93</u>

Consent Agenda Item Nos. 2 through 10, and 12, were approved as written, with the changes noted to Consent Agenda Item No. 8. Commissioner Witney recommended the following Regular Agenda items be moved to Consent:

1. **ADOPT A RESOLUTION AMENDING SECTIONS IILM AND VIA.4 OF THE UTAH COUNTY PERSONNEL RULES AND REGULATIONS, REDEFINING THE RULES FOR PART TIME EMPLOYEES TO FACILITATE COMPLIANCE WITH THE AFFORDABLE CARE ACT** *(Continued from the October 8, 2013 Commission meeting)*

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Utah County Personnel Director Lana Jensen came forward to clarify that these amendments are to redefine Utah County part-time employees. Instead of being referred to as "1,000-hour employees," the workers will now be identified in one of two categories. One category allows employees to work 25 hours weekly throughout the year. The second category is for a variable weekly schedule that does not average more than 30 hours per week during the measuring period. Neither of these categories are eligible for benefits.

2. **APPROVE EMPLOYEE DONATIONS OF LEAVE TIME WITHIN THE UTAH COUNTY SHERIFF'S OFFICE**
3. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH HIGHWAY SAFETY OFFICE FOR FUNDING TO SUPPORT THE CHILD PASSENGER SAFETY PROGRAM**
4. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A LAND PURCHASE AGREEMENT WITH ACA PROPERTIES, LC IN THE AMOUNT OF \$2,850.00 FOR A PARCEL IN LINDON TO FACILITATE FIBER OPTIC NETWORK EXPANSION**
5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN CHANGE ORDER NO. 1 TO AGREEMENT NO. 2011-614 WITH M&M ASPHALT FOR SEAL COAT ON PARK TRAILS AT \$0.18 PER SQUARE FOOT**
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO ALLOW THE COUNTY CLERK TO SIGN A QUIT CLAIM DEED FROM UTAH COUNTY TO THE MICRON LEHI DEVELOPMENT, LLC IN THE AMOUNT OF \$12,000.00 FOR A PARCEL IN LEHI TO EXTEND CENTER STREET**
Utah County Public Works Director Richard Nielson described the location of the parcel for the Board.
7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH ROCKY MOUNTAIN UNIVERSITY OF HEALTH PROFESSIONS FOUNDATION TO LEASE 2,095 SQUARE FEET OF SPACE IN THE HEALTH SERVICES BUILDING**
Utah County Public Works Director Richard Nielson confirmed the lease agreement terms for the Board.
8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO ACCEPT AN AWARD OF THE STATE OF UTAH FY2013-2015 VOCA VICTIM ASSISTANCE PROGRAM GRANT TO THE UTAH COUNTY ATTORNEY'S OFFICE IN THE AMOUNT OF \$38,523.72**
9. **ADOPT RESOLUTION OF APPOINTMENT OF MEMBER AND ALTERNATE MEMBER TO THE UTAH COUNTY BOARD OF ADJUSTMENT**
10. **ADOPT RESOLUTION OF REAPPOINTMENT OF JANICE REEB TO THE UTAH COUNTY PLANNING COMMISSION**

ACTIONS TAKEN

Consent Agenda Item Nos. 1 and 11 were **continued** to the October 22, 2013 meeting of the Board; Nos. **2, 4, 6, 7, 8 and 10** were **approved**; No. **3** was **approved and authorized**; No. **5** was **abated**; No. **9** was **adopted**; and No. **12** was **ratified**. **Regular Agenda Item Nos. 1, 9 and 10** were **adopted**; No. **2** was **approved**; and Nos. **3, 4, 5, 6, 7 and 8** were **approved and authorized**.

AGREEMENT NOS.: 2013-690, 2013-691, 2013-691(A), 2013-692, 2013-693, 2013-694, 2013-695, 2013-696, 2013-697, 2013-698, 2013-699, 2013-700, 2013-701, 2013-702 and 2013-703
RESOLUTION NOS.: 2013-115, 2013-116, 2013-117 and 2013-118

REGULAR AGENDA

- 12. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION**
STRICKEN

- 15. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., AS AMENDED**
STRICKEN

Commissioner Ellertson made the motion to strike Regular Agenda Item Nos. 12 and 15 to set dates, times and locations for closed meetings for a strategy session to discuss pending or reasonably imminent litigation; and to discuss commercial information as defined in Section 59-1-404, U.C.A., as amended. The motion was seconded by Commissioner Anderson and carried with the following vote:

AYE: Doug Witney
Gary J. Anderson
Larry A. Ellertson
NAY: None

- 11. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS**

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting to discuss the character, professional competence, or physical or mental health of an individual or individuals to immediately follow the public comment portion of the regular public meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Anderson and carried with the following vote:

AYE: Doug Witney
Gary J. Anderson
Larry A. Ellertson
NAY: None

SET

- 13. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY**

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss the purchase, exchange, or lease of real property to immediately follow the previously scheduled closed meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Anderson and carried with the following vote:

AYE: Doug Witney
Gary J. Anderson
Larry A. Ellertson
NAY: None

SET

- 14. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY**

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Commissioner Ellertson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss the sale of real property to immediately follow the previously scheduled closed meetings today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Anderson and carried with the following vote:

AYE: Doug Witney
Gary J. Anderson
Larry A. Ellertson
NAY: None

SET

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

Commissioner Anderson commented on the "Try a Trail!" walk conducted by the Utah County Well4Life program the previous Saturday, October 12, 2013. He was very impressed with the beauty of Art Dye Park and the connecting Highland Trail. Commissioner Anderson thanked the Utah County Public Works Department for their consistent maintenance for the county's parks, as well as members of the Health Department for organizing and encouraging healthy lifestyles within the community. He commended all participants.

This concluded the public comment portion of the open meeting, and the meeting recessed at 9:19 A.M. to go into closed meetings. The public meeting reconvened at 10:22 A.M.

Commissioner Ellertson made the motion to adjourn the October 15, 2013 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Anderson and carried with the following vote:

AYE: Doug Witney
Gary J. Anderson
Larry A. Ellertson
NAY: None

There being no further business nor public comment, the meeting adjourned at 10:22 A.M. The minutes of the October 15, 2013 Commission Meeting were approved as transcribed on October 22, 2013.

DOUG WITNEY, Commission Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor

Copies Available on the County Web Site at www.utahcountyonline.org
Recorded by Renée Huggins-Caron, Clerk/Auditor Administrative Assistant

